

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

CRIMINAL APPLICATION NO. 1007 OF 2005.

M/s Philips India Ltd.

.. Applicant.

vs.

State of Maharashtra &anr. .. Respondents.

Office Notes, Office :
Memoranda of Coram, : Court's or Judge's orders
appearances, Courts's :
orders or directions :
and Registrar's orders. :

Shri P.D. Desai for the applicant.

Shri S.R. Shinde, A.P.P. for the State.

CORAM: V.M.KANADE,J.

DATED: 2-3-2005.

P.C.:

1. Heard learned Counsel appearing on

behalf of the applicant and the learned

A.P.P. for the State.

2. The applicant is challenging the

conditional order passed by this Court

dated 6.9.2004 whereby applicant was

directed to serve respondent No.2 and file

an affidavit of service before the

returnable date. It was further stated

that if affidavit of service is not filed,

application shall stand dismissed for

non-prosecution without further reference

to the Court.

3. It is submitted that the affidavit

of service is filed in December 2004.

However, by that time, application had already been dismissed for want of prosecution. The applicant therefore prays for restoration of the main application for the reasons stated in Criminal Application No. 1007/2005. Accordingly, Criminal Application No. 2397 of 2004 is restored to file. Place it on board on 18.3.2005. Applicant to give Advocate's notice to respondent No.2 that the matter will appear on board on 18.3.2005. Applicant also to serve copy of the application along with notice. Notice should state that if respondent No.2 remains absent, grant of exparte interim relief will be considered by the Court.
